

SUPREME COURT OF INDIA

Ram Prakash Sharma

Vs.

Baulal Birla

C.A.No.5310 of 2010

(Markandey Katju and Gyan Sudha Misra,JJ.,)

12.05.2011

ORDER

1. Taken on Board.

2. Heard learned counsel for the parties. In the facts and circumstances of the case, time to vacate the premises in question is extended till 31st August, 2011 and if the tenants do not vacate on or before the said date, they will be evicted by police force.

3. We further make it clear that when this Court allows the petition/appeal of the landlord or dismisses the petition/appeal of the tenant and grant some time to vacate the premises in question and if the tenant does not vacate within the time granted, the tenant shall be evicted by police force. This is a general direction we are passing because we are coming across several cases where the tenants are not vacating the premises in question despite granting time by this Court or despite furnishing an undertaking to this Court with a result that the landlord has to initiate contempt proceedings or any other proceedings. Hence, we give a general direction that when tenant's petition/appeal is dismissed and he is given time to vacate then on the expiry of that time, he will be evicted by police force if he does not vacate of his own.

4. If any extension of time to vacate is desired, that application should be filed well in advance.

5. The Interlocutory Application is allowed accordingly.